

JUDGE COTE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

08 CV 03294

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SOMPO JAPAN INSURANCE CO. OF AMERICA
as subrogee of
PRADA USA CORP.,

Docket No.:

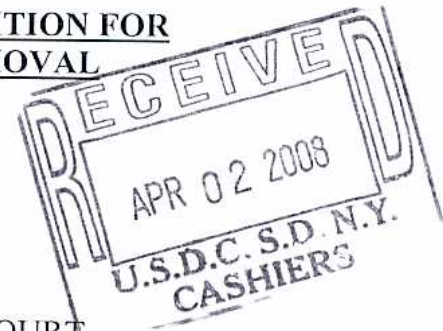
Plaintiffs,

-against-

AMERICAN EAGLE OUTFITTERS, INC.,

Defendant.

PETITION FOR
REMOVAL



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TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

The Petition of the defendant(s), AMERICAN EAGLE OUTFITTERS, INC. respectfully shows: On or about March 3, 2008 (not the service date), an action was commenced against the Petitioner(s) in the Supreme Court, State of New York, County of New York, which is entitled SOMPO JAPAN INSURANCE CO. OF AMERICA, as subrogee of PRADA USA CORP., v. AMERICAN EAGLE OUTFITTERS, INC. A copy of the Summons and Complaint is annexed hereto as Exhibit "A." The Defendant(s) time to appear or otherwise respond is thirty days (30) from the time of service, April 3rd, 2008.

The above-described action is one in which the Court has original jurisdiction under the provision of 28 U.S.C. §1332 as one that may be removed to this Court, pursuant to 28 U.S.C. §1441, in that it is a civil action and upon information and belief, the matter in controversy exceeds the sum of Seventy Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and is between citizens of different states.

Plaintiffs resided at the time that this action was commenced in the State of New York, County of New York, as is indicated on the face of the Summons and Complaint annexed hereto as Exhibit "A."

Defendant AMERICAN EAGLE OUTFITTERS, INC., is a resident of the State of Pennsylvania.

WHEREFORE, Petitioner, AMERICAN EAGLE OUTFITTERS, INC., prays that this action now pending against it in the Supreme Court of the State of New York, County of New York, be removed therefrom to this Court.

Dated: Melville, New York
March 31, 2008

Yours, etc.

SHEPS LAW GROUP, P.C.



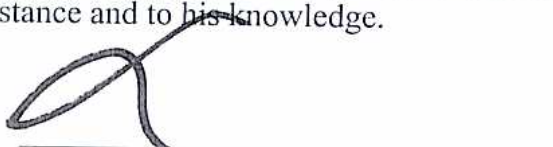
Robert C. Sheps, Esq.
Attorneys for Defendant
AMERICAN EAGLE OUTFITTERS, INC.,
35 Pinelawn Rd., Suite 106 East
Melville, New York 11747
(631) 249-5600 Tel.
Our File: 6856

TO:

Mound Cotton Wollan & Greengrass
Kevin F. Buckley, Esq.
One Battery Park Plaza
New York, New York 10004
(212) 804- 4200

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

ROBERT C. SHEPS, being duly sworn, according to law, deposes and says that he is the attorney for the within named Petitioner that he has read the foregoing Petition for Removal and that the statements therein are true in substance and to his knowledge.



Robert C. Sheps, Esq. (RCS5388)
Attorneys for Defendant
AMERICAN EAGLE OUTFITTERS, INC.,
35 Pinelawn Rd., Suite 106 East
Melville, New York 11747
(631) 249-5600 Tel.
Our File: 6856

Sworn to before me this
31th day of March, 2008